

APR 03 2019

*Seth W. Nutter* Clerk

## COMMONWEALTH OF MASSACHUSETTS

BARNSTABLE, SS

SUPERIOR COURT  
DOCKET NO. 1572CR00128

COMMONWEALTH

v.

KEVEN SEME  
Defendant**MOTION FOR SUMMONS BOSTON POLICE DEPARTMENT RULE 17**

The defendant respectfully moves, via Mass. R. Crim. P. 17(a) for access to the INVESTIGATION RECORDS AND NOTES OF THE UNITED STATES DEPARTMENT OF JUSTICE, C/O U.S. ATTORNEY ANDREW LELLING, John Joseph Moakley United States Federal Courthouse, 1 Courthouse Way, Suite 9200, Boston, MA 02210 regarding ANY NOTES OR RECORDS OF LUTHERSON J. BONHEUR, DOB 3/14/1992 AND THE DEATH/HOMICIDE ON OR ABOUT SEPTEMBER 30, 2015, OF JEFFREY RANDALL. Such records for the time period September 30, 2015 to present.

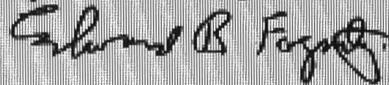
As reasons therefore, Lutherson Bonheur is a central Commonwealth witness in the case against Defendant. Upon information and belief, Mr. Bonheur was a central suspect in the homicide of Jeffrey Randall. Mr. Bonheur is also the subject of a federal indictment for drug-related crimes. Mr. Bonheur has received substantial consideration for his cooperation regarding drug-related crimes from the U.S. Department of Justice. Mr. Bonheur may have received the same or additional consideration in the investigation of the homicide of Mr. Jeffrey Randall.

1. This information sought is relevant and has evidentiary and exculpatory value.
2. The Defendant has no other means by which to obtain the documents.
3. The defendant cannot prepare for trial without the production and inspection of these files as these materials are essential to defense of who had access to the safe.
4. Failure to provide access to this evidence may tend unreasonably to delay the trial.
5. This request is made in good faith and upon reliable information.

The defendant, having met the obligations under Mass. R. Crim. P. 17(a) is entitled to a grant of the summons. Further such records are exculpatory evidence under *Brady v. Maryland*, 373 U.S. 83, 83 S. Ct. 1194, 10 L. Ed. 2d 215 (1963) and its progeny.

Accordingly, it is requested that the defendant be given for access via summons to the INVESTIGATION RECORDS AND NOTES OF THE UNITED STATES DEPARTMENT OF JUSTICE, C/O U.S. ATTORNEY ANDREW LELLING, John Joseph Moakley United States Federal Courthouse, 1 Courthouse Way, Suite 9200, Boston, MA 02210 regarding ANY NOTES OR RECORDS OF LUTHERSON J. BONHEUR, DOB 3/14/1992 AND THE DEATH/HOMICIDE ON OR ABOUT SEPTEMBER 30, 2015, OF JEFFREY RANDALL. Such records for the time period September 30, 2015 to present.

THE DEFENDANT  
By His/Her Attorney



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CERTIFICATE OF SERVICE: I, Edward Fogarty, certify I have caused a copy of the above to be served upon all parties. /s/ Edward Fogarty